
STATUTORY RULES OF NORTHERN IRELAND

2009 No. 304

Safeguarding Vulnerable Groups (Regulated Activity, Transitional Provisions and Commencement No. 4) Order (Northern Ireland) 2009

PART 6

Provisions relating to Part 1 of Schedule 2 to the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007

Regulated activity relating to Children

Definition of relevant child care premises

23.—(1) Paragraph 3 of Schedule 2 to the 2007 Order is amended in accordance with paragraph (2).

(2) After sub-paragraph 3(2) insert—

“(3) But premises on which a person acts as child minder or provides day care are not relevant childcare premises if the premises are the home of a parent of at least one child to whom the day care or child minding is provided.

(4) For the purposes of paragraph (3) “parent” includes any person who has parental responsibility for a child or who has care of a child.

(5) “Parental responsibility” has the same meaning as in the Children Order(1).”.

Office holders and other amendments to paragraph 4 of Schedule 2 to the 2007 Order

24.—(1) Paragraph 4 of Schedule 2 to the 2007 Order is amended in accordance with paragraphs (2) to (6).

(2) In sub-paragraph (1)(a), after “member of” insert “or secretary to”.

(3) In sub-paragraph (1), after paragraph (a) insert—

“(aa) person co-opted by the voting members of a Board of Governors of a grant-aided school under Articles 122 and 139 of the [Education Reform \(Northern Ireland\) Order 1989 \(NI 20\)](#) to be a member of the Board of Governors of the school;”.

(4) In sub-paragraph (1), after paragraph (b) insert—

“(bb) chief executive officer of a HSC body;”.

(5) In sub-paragraph (1), after paragraph (j) insert—

“(k) an individual carrying on or managing a regulated establishment or agency which provides care, accommodation or services wholly or mainly for or in relation to children.”.

(6) After sub-paragraph (1) insert—

“(1A) For the purposes of sub-paragraph (1)(a), a person is a secretary to the governing body of an educational establishment mentioned in Article 12(5) if—

- (a) the person is appointed in accordance with a scheme of management as mentioned in Article 9A or 9B of the [Education and Libraries \(Northern Ireland\) Order 1986 \(NI 3\)](#) as a secretary to the governing body of a grant-aided school, or
- (b) the person is appointed in relation to the governing body of any other educational establishment mentioned in Article 12(5) and has functions similar to those of a person falling within paragraph (a).

(1B) For the purposes of sub-paragraph (1)(k) an establishment or agency is a regulated establishment or agency if the person carrying it on or managing it is required to be registered in respect of it under Article 12 of the 2003 Order⁽²⁾.”

(2) [S.I. 2003 \(N. I. 9\)](#).